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 RUEHMO/AMEMBASSY MOSCOW IMMEDIATE OOOO
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 RUEHBS/AMEMBASSY BRUSSELS IMMEDIATE OOOO
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 RUFHFR/AMEMBASSY PARIS IMMEDIATE OOOO
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 RUSNUNO/ LIVE OAK IMMEDIATE OOOO
 RUSNNOA/ USCINCEUR VAIHINGEN GE OOOO
 RUFDAAA/CINCUSAREUR HEIDELBERG GE
 RHFOAAA/CINCUSAFE RAMSTEIN AB GE
 BT
 S E C R E T STATE 111326

EXDIS

E.O. 12356: DECL: OADR
 TAGS: EAIR, PGOV, PREL, BZ, BOG, UR, GE
 SUBJECT: BERLIN AIR CORRIDORS: FOLLOW-UP TO DEMARCHE OF
 APRIL 12

1. DAS NILES CHAIRED AN INTERAGENCY MEETING APRIL 13 IN WHICH THE DIPLOMATIC STATE OF PLAY WAS DISCUSSED AND VARIOUS OPTIONS WERE EXAMINED. DISCUSSION CENTERED ON POSSIBLE FOLLOW-UP IN THE BASC TO DOBRYNIN'S COMMENTS TO UNDER SECRETARY EAGLEBURGER. THERE WAS ALSO DISCUSSION OF OTHER OPTIONS TAILORED TO THE POLITICAL ANDCORRIDOR SITUATIONS. SHOULD CONDITIONS IN THE CORRIDORS NOT RETURN TO A SATISFACTORY STATE WITHIN A REASONABLE PERIOD OF TIME. CONSIDERATION OF THESE OPTIONS WILL CONTINUE. BUT WE BELIEVE THAT FOR THE MOMENT WE SHOULD CONCENTRATE ON DIPLOMATIC FOLLOW-UP.

2. NILES POINTED OUT THAT DOBRYNIN HAD SUGGESTED WILLINGNESS TO RETURN TO "ORIGINAL" PROCEDURES AND TO ENGGE IN TALKS TO RESOLVE CURRENT PROBLEMS. THIS SUGGESTED POSSIBLE SOVIET WILLINGNESS TO -RETURN TO THE SITUATION AS IT EXISTED BEFORE FEBRUARY 20. NILES - INDICATED THAT PROPER NEXT STEP WOULD BE FOR THE -ALLIES

IN BASC TO LNGAGE SOVIET CONTROLLERS IN DISCUSSION IN ORDER TO TEST SOVIET INTENTIONS ON THIS POINT.

3. COMMENT: DOBRYNIN'S COMMENTS PROVIDE AT LEAST SOME OPENING FOR FURTHER EFFORTS TO REVERSE RECENT SOVIET MEASURES. THE MAJOR UNRESOLVED QUESTION IS THE DEFINITION OF THE "ORIGINAL PROCEDURES" REFERRED TO IN THE SOVIET RESPONSE. IN OUR VIEW, THESE PROCEDURES NEED

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NOT INCLUDE COMPLETE CESSATION OF SOVIET RESERVATIONS. OUR MAJOR GOAL SHOULD BE REVERSAL OF SOVIET CLAIMS OF UNILATERAL RIGHTS TO DETERMINE USE OF AIR SPACE, TO AUTHORIZE FLIGHTS AND TO DETERMINE WHEN THEIR SAFETY IS OR IS NOT ENDANGERED. IN PRACTICE THIS WOULD MEAN THAT THE SOVIETS WOULD PROVIDE SUFFICIENT WARNING OF EXPECTED RESERVATIONS AND WOULD LISTEN TO ALLIED OBJECTIONS IF PROBLEMS WERE TO BE EXPECTED. ADDRESSEES MAY RECALL THAT A SIMILAR CONCEPT WAS CONSIDERED BY THE BASC CONTROLLERS IN THE SPRING OF 1981. THIS IDEA INCLUDED AN INFORMAL "REQUEST" FORM SUBMITTED BY THE SOVIETS BEFORE EACH RESERVATION. THE ALLIES "APPROVED" SOVIETS "REQUESTS" FOR USE OF AIR SPACE AND REMINDED THE SOVIETS OF THEIR CONTINUED RIGHT OF UNIMPEDED ACCESS THROUGH THE CORRIDORS.

4. THE NEXT IMPORTANT QUESTION IS HOW TO FOLLOW-UP ON THE ALLIED DEMARCHES. DOBRYNIN'S COMMENTS WERE THE MOST EXTENSIVE OF THE THREE AND DID OFFER SOME HOPE FOR PROGRESS. DEPARTMENT DOES NOT BELIEVE THAT WE SHOULD AWAIT A FORMAL SOVIET RESPONSE BEFORE PURSUING THE ISSUE AGAIN IN BERLIN. OUR PREFERENCE WOULD BE TO BEGIN WORKING LEVEL APPROACHES IN THE BASC WITH THE GOAL OF TESTING SOVIET WILLINGNESS TO COMPROMISE. WE WOULD VISUALIZE SUCH A PROCESS AS FOLLOWS:

A. ALLIED MISSIONS SHOULD CONSIDER BEST MEANS OF TESTING SOVIET INTENTIONS IN THE BASC IN THE CONTEXT OF THE DOBRYNIN REMARKS. ONE POSSIBILITY WOULD BE TO AWAIT NEXT SOVIET RESERVATION. ANOTHER MIGHT BE OFFERED IN THE CALIBRATION FLIGHTS MENTIONED IN USBERLIN 1166.

B. IN THE DISCUSSION WITH SOVIET CONTROLLER, THE CHAIRMAN ALLIED CONTROLLER MIGHT REFER TO OUR DESIRE TO HANDLE THE ISSUE UNDER DISCUSSION ACCORDING TO "ORIGINAL PROCEDURES."

C. IF QUERIED FOR A DEFINITION OF "ORIGINAL PROCEDURES" CHAIRMAN CONTROLLER SHOULD NOTE THAT THE AIR CORRIDORS HAVE TRADITIONALLY BEEN MANAGED ON A JOINT BASIS AND THAT UNILATERAL SOVIET DECLARATIONS OF RESERVATIONS WHICH

IMPINGE ON ALLIED INTERESTS DO NOT CORRESPOND TO THIS MUTUAL SPIRIT. THE GOAL OF ALL FOUR MEMBERS OF THE BASC SHOULD BE TO WORK OUT MATTERS JOINTLY.

D. IF THE SOVIETS ASK FOR MORE DETAILS, THE ALLIES SHOULD DESCRIBE THE PROBLEMS CREATED BY THE SOVIET RESERVATIONS, INCLUDING SHORT NOTICE GIVEN, CLOSURE OF ENTIRE CORRIDORS ETC. THEY SHOULD ALSO REFER TO UNILATERAL SOVIET CHANGES IN PROCEDURES SUCH AS INCIDENT ON APRIL 8 WITH AMERICAN BUSINESS AIRCRAFT.

E. IF THIS APPROACH CONTINUES TO ELICIT SOVIET INTEREST, BASC CONTROLLER MIGHT REFER TO POSSIBILITY OF INFORMAL WRITTEN REQUESTS ON THE ORDER OF THOSE USED IN 1981.

5. THE GOAL OF SUCH AN APPROACH WOULD BE TO TEST SOVIET WILLINGNESS TO COMPROMISE WITHOUT SUGGESTING THAT THE ALLIES ARE WILLING TO ENTER INTO FORMAL NEGOTIATIONS ABOUT THE CORRIDOR REGIME. IF THE SOVIET CONTROLLER MADE UNACCEPTABLE COMMENTS OR REPEATED RECENT THREATS AT ANY POINT IN THE CONVERSATION, THE ALLIED CONTROLLER WOULD SUSPEND THE DISCUSSION AND REPEAT OUR INSISTENCE ON UNIMPEDED ACCESS. GIVEN APPARENTLY SLOW COMMUNICATIONS BETWEEN SOVIET POLITICAL AND MILITARY ESTABLISHMENTS, WE WOULD WISH TO RETURN TO THE POINTS ONE OR TWO MORE TIMES AFTER A FIRST REBUFF TO ENSURE THAT THE SOVIET CONTROLLER WAS IN FACT ACTING ON INSTRUCTIONS.

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6. ACTION REQUESTED: EMBASSY BONN AND MISSION ARE
REQUESTED TO DISCUSS NEXT STEPS WITH ALLIES AND FORMULATE
RECOMMENDATIONS FOR FURTHER ACTION. GIVEN CONTINUED
ANNOYANCE OF AIR CORRIDOR PROBLEMS, DEPARTMENT BELIEVES
THE ALLIES SHOULD NOT LET MUCH TIME PASS BEFORE FOLLOWING
UP THIS WEEK'S DEMARCHES WITH EFFORTS TO TEST SOVIET
WILLINGNESS TO COMPROMISE. SHULTZ
END OF MESSAGE

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